

IN THE SUPREME COURT OF THE STATE OF DELAWARE

LEROY L. SMITH,	§
	§ No. 356, 2021
Petitioner Below,	§
Appellant,	§ Court Below—Superior Court of
	§ the State of Delaware
v.	§
	§ C.A. No. N19M-05-118
DAVID HENDERSON, WLLIAM	§
PFEIFER, JAMES F. JUSTICE,	§
JOYCE M. BEMBRY, and LEE	§
ANN BULLOCK,	§
	§
Respondents Below,	§
Appellees.	§

Submitted: February 4, 2022
Decided: February 15, 2022

ORDER

On November 8, 2021, the appellant, Leroy Smith, filed this appeal from a Superior Court order, dated and docketed on October 5, 2021, dismissing his petition for a writ of mandamus. A timely appeal was due on or before November 4, 2021.¹ On November 9, 2021, the Senior Court Clerk issued a notice directing Smith to show cause why this appeal should not be dismissed as untimely filed. On November 22, 2021 and December 21, 2021, the Court granted Smith's requests for additional time to respond to the notice to show cause. On December 21, 2021, the

¹ Supr. Ct. R. 6(a)(i).

Court also advised Smith that no further extensions would be granted and that his appeal would be dismissed if he did not respond to the notice to show cause by February 3, 2022. Smith filed a motion for appointment of counsel on January 12, 2022, but has not responded to the notice to show cause. Dismissal of this appeal is therefore deemed to be unopposed.

NOW, THEREFORE, IT IS HEREBY ORDERED, under Supreme Court Rules 3(b)(2) and 29(b), that this appeal is DISMISSED. The motion for appointment of counsel is denied as MOOT.

BY THE COURT:

/s/ Gary F. Traynor
Justice